

PROSPECTS FOR PEACE IN SUDAN

BRIEFING

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Introduction

There is a powerful momentum for peace in the North. On 10 July the NDA Chairman accepted an Egyptian proposal for talks with the Government without precondition. This came in the light of a proposal by President Bashir for a preparatory meeting for a national conference to be held at short notice, and strong indications that the Umma Party will fully return to Sudan before the end of the year. The trickle of returnees is accelerating. Exiles and dissidents come and go from Khartoum. It is easier than ever to challenge the government. But is the will to peace a truly national sentiment? It is far from clear whether the optimism for a settlement in the near future is shared across the country. Certainly the war-weariness and yearning for peace has never been greater, but the practical steps required for achieving it are still formidable.

The IGAD process and the IGAD partners are being left behind by the peace momentum. Their criticisms of the reconciliation process, under or associated with the Libyan-Egyptian initiative, are generally well-grounded. But the fact that this peace process is flawed or incomplete will not necessarily stop it from proceeding. It may yet achieve more than its critics concede.

What Kind of Peace Process?

What is the optimal moment for a settlement? Might it slip from our grasp in the coming months? Have the tactical problems of reaching a settlement in recent months stood in the way of seizing the strategic moment? One way of interpreting the current political dilemma is that the Sudanese opposition is divided over a procedural question:

1. Does there need to be a once-for-all comprehensive settlement? Those who pursue this approach tend to see a peace settlement as essentially a technical process, requiring experts to consult, formulate and agree on a range of issues that can be decisively concluded, once for all.
2. Or is it enough to achieve a partial settlement that opens up the political process to some form of pluralism, that will be enough to secure the basis for the successful pursuit of further objectives? Those who pursue this approach tend to see a peace settlement as part of a wider, ongoing political process, and are less determined to see all issues resolved in one go. The success of peace as a political process depends crucially on whether it is inclusive and democratic, or elitist.

While all see a comprehensive settlement as the ideal, many civilian politicians see it as unrealistic and also as alien to Sudanese political tradition. (Whether one applauds

Sudanese political tradition or not is beside the point.) These political leaders incline towards option 2: peace as politics.

The armed opposition, and especially the SPLA, are much more insistent on option 1. This reflects the experience of Southerners (and the marginalised in general) of being short-changed by civilian politics. The title of Abel Alier's book, 'Too Many Agreements Dishonoured', reflects this experience. They seek security in cast-iron guarantees. This approach is also reflected in the militarist culture of the SPLA, in which the term 'civilian' is derogatory. In aiming for a 'total deal', and in their aversion to compromise, the SPLA and the marginalised may in fact miss the chance for their 'best deal'. The friends of the South and the marginalised need to ask themselves if now is not the time for a 'best deal', whether waiting for a 'total deal' will not in fact mean that the current opportunities are missed, and the South condemned to another generation of war.

Broadly speaking, the IGAD process and the approach of its European and American supporters is sympathetic to the technical approach leading to the comprehensive settlement. The LEI is more in the way of a political process leading to a partial settlement, which may hold out better opportunities in future, if they are properly taken. The challenge for the LEI is: what sort of politics? The Libyan and Egyptian Governments much prefer an elite politics, a settlement consisting of power-sharing among the main leaders in the context of a security-dominated state apparatus. However, a more democratic, pluralist politics of peace is also a possibility, if resources are mobilised and opportunities taken in the coming months.

The Egyptian Proposal

The NDA Executive Committee met in Cairo on 6 July. On the first day of the meeting the Egyptian government tabled a proposal for a meeting between the NDA and the Sudan Government. The NDA responded by setting three preconditions for the meeting: the abolition of two security laws (one enabling arbitrary arrest and one enabling daily summons to the security offices) and the abolition of the requirement that political parties be registered by the government. On 10 July the Egyptians responded by rejecting the preconditions. The NDA authorised its chairman, Mulana Mohamed Osman al Mirghani, to negotiate directly with the Egyptians. The same evening, Mulana agreed to talk without preconditions.

The next questions to answer are, who will talk and when? The Egyptians will press for an early meeting between Mulana and Bashir. The NDA as a collective will prefer the two Peace Secretariats to meet for a preparatory session to set an agenda for a high-level meeting. Unfortunately, it is unlikely that the NDA membership will be sufficiently organised to prevail over the elite style of politics. The NDA has authorised Mulana, in an individual capacity, to discuss with the Egyptians the representation and timing of the preparatory meeting.

This is a highly significant development which probably leaves the LEI with sufficient momentum to bring the Sudan Government and the main northern opposition parties to an agreement before the end of the year.

The immediate background to the Egyptian proposal appeared to be a number of setbacks for the LEI.

1. In a satellite link-up with a debate at the Khartoum University Students' Union, Gaddafi said that the NDA without the Umma Party was worthless. This caused grave offence to the NDA Chairman, who immediately asked for the Tripoli visit scheduled for 5 July to be postponed. (Gaddafi also accused the Sudan Government of seeking peace solely for its own advantage, not for the national interest, but Bashir chose to ignore this slight.) The

NDA subsequent failed to agree on the Libya visit, and compromised by deciding that those who wished to go should go. It seems likely that the SPLA and Communists will refuse to go, and the visit will be at the end of July.

2. The Egyptian ambassador to Sudan, Mohamed Asim Ibrahim, speaking at another seminar, at Azhari University in Omdurman, made a statement to the effect that Egypt would never under any circumstances allow the exercise of self-determination in the South, because the unity of Sudan is a national security issue for Egypt. To compound the problem, he went on to say that Egypt would have no difficulty in ensuring its wishes were met. For northern and southern Sudanese alike, these attitudes provoke resentment.

These statements reflect the way in which the Libyans and Egyptians tend to handle negotiations with what they see as a junior Arab partner: as a question of giving instructions, not facilitating a process owned by the parties themselves. In retrospect they also indicate the confidence of both the Libyans and Egyptians that they will be able to push through a deal despite the reluctance of many in the NDA.

The Egyptian rejection of the NDA's three conditions for meeting the Government also point to the Egyptian orientation. Undoubtedly, Egypt was concerned to keep the wide-ranging security powers exercised in Khartoum.

Bashir's Position

On 30 June, Bashir offered a preparatory meeting for a national conference after one month. This 'Sudanese-Sudanese Initiative' was intended to bypass the problems encountered with foreign mediators. His reading of the public mood in Khartoum was good. It appears that the proposal was made with the knowledge and consent of the Umma Party. The NDA did not refuse the offer, though its acceptance of the Egyptian proposal may be seen as relegating Bashir's initiative to a second-best alternative.

Subsequently, Bashir set up a Preparatory Committee for the National Conference. Several nominations for the chair have been received, notably including Gen. Abdel Rahman Suwar al Dahab (head of state during the Transitional Military Council 1985-6). This would be a very smart appointment. Gen. Suwar al Dahab has very high standing in the Arab world as a soldier who took power in a coup and then handed over to an elected government exactly on schedule. He is also known to be close to the DUP leadership. The 'Sudanese-Sudanese Initiative' is serving the purpose of pushing the LEI to act rapidly.

Bashir's reshuffle on 10 July brought in a loyalist, Bakri Hassan Saleh, as defence minister in place of Abdel Rahman SIRR al Khatim. This gives some weight to recent rumours that Gen. Abdel Rahman was becoming too powerful for the President's liking. A new interior minister, a former security chief, Gen. El Hadi Abdalla, was also appointed. These appointments indicate a strengthening of the security apparatus' control in government.

For President Bashir, the main threat is still Hassan al Turabi. Bashir's control of the executive has not resulted in the elimination of the threat posed by Turabi's continuing control of the Islamist rank and file. Turabi is still able to command immense support, which continues to disturb Bashir and Ali Osman, while the Presidency is still unable to take decisive security measures against Turabi and his followers.

Meeting on 26 June, the consultative council of the National Congress removed Turabi as Secretary General. Prof. Ibrahim Ahmed Omer was brought in as the new Secretary General. A long-time loyal Islamist, Prof. Ibrahim is not seen as a strong or charismatic figure. He is likely to be an interim figure, paving the way for Ali Osman to take this position in the future. The extent of Turabi's support within the party was indicated by the fact that

nearly 200 of his supporters boycotted the Council, more than one third of the 582 members. Generally speaking he seems to be able to retain between one quarter and one third of the leading members of the Congress across the country. Turabi's standing is founded on his enduring support among the youth, and his undisputed position as the Sheikh of the Islamist movement.

On 27 June, Turabi formed his alternative party, the People's National Congress. Turabi's prospects remain weakened by his insults to the army, which he repeatedly accuses of lack of professionalism. Turabi's over-estimation of his position is his greatest weakness.

The longer Bashir stays in power, offering concessions to the opposition and playing an effective diplomatic game internationally, the more secure his international position becomes. Gradually he will secure more sympathy. However, this international position does not automatically translate into a secure internal position. The current trend of uneven liberalisation without a formal settlement provides opportunities for the internal opposition to mobilise. This also allows the multiple loyalties of the regime's servants to emerge: many are also aligned with parties such as the Umma and DUP. It is possible that, as these processes continue, the regime will be sufficiently weakened to be vulnerable to electoral defeat or popular uprising.

IGAD and the IPF

The IPF meeting on 19-20 June in Oslo came twelve months after the IPF agreed to revitalise IGAD—with a twelve month deadline for progress. At the meeting, the IPF gave IGAD a stay of execution for a further three months. It asked for two conditions to be met by September, namely;

1. Continuous negotiations in committee, including the participation of experts;
2. Involvement of other stakeholders (implicitly this refers to the NDA, Libya and Egypt, however they were not mentioned by name, and Kenya objected to any mention of merger or coordination with the LEI).

This decision amounts to a compromise, a postponement of the critical decision on the merger of the LEI and IGAD. There was a strong Egyptian delegation at the IPF meeting. However, the opportunity of decisive action to bring the LEI and IGAD together—if it existed at all—was not taken. The Kenyan delegation continued to insist that the IGAD Peace Secretariat would not merge or coordinate with the LEI. The NDA Chairman interpreted this as a rebuff and (again) failed to write to IGAD requesting that the NDA should join. In essence, IGAD was banking on the further delay of the LEI.

IGAD received some last-minute resuscitation from the SPLA's decision in late June to rejoin the talks. A date has been set for the next round, in August. It is unlikely that IGAD will make progress while the Sudan Government continues to prefer the LEI and while the SPLA continues to forward its confederal proposal as currently formulated. The Sudan Government, having gained the diplomatic upper hand, resumed bombardment of towns in SPLA-held areas in late June. As the government's bombardment was the stated reason for the SPLA withdrawal from the May IGAD talks, this can be seen as a way of calling the bluff of the SPLA, as well as a retaliation for the loss of Gogrial to the SPLA.

The NDA and its Peace Secretariat

The NDA Executive Committee meeting of 6-10 July failed to resolve the outstanding questions facing the Alliance. In particular it failed to resolve the issue of the relationship between the LEI and IGAD initiatives. One grouping (led by USAP and SFDA) argued that the NDA should apply to join IGAD (as had been decided in December and March). Another (led by the DUP) argued for 'coordination' of the initiatives. Crucially, the SPLA did not support the case for the NDA joining IGAD and instead went with the DUP. The final position adopted was that the NDA Chairman would request the Egyptian Foreign Minister to make diplomatic contact with his Kenyan counterpart to explore ways and means of coordinating. Meanwhile the Peace Secretariat has been authorised to meet the IGAD Special Envoy to discuss options. In the context of the Egyptian proposal this amounts to an abandonment of serious NDA interest in IGAD.

The NDA Peace Secretariat (a.k.a. Committee for the Comprehensive Political Solution) has in effect been marginalised by the Chairman. The Peace Secretariat has been working hard on developing positions for the NDA to adopt in its peace negotiations. This includes both the proposed structure of negotiations (which issues should be addressed in which order, the nature of the proposed Constitutional and Reconciliation Conference) and substantive issues (the status of the IGAD DoP, security protocols etc.) However, progress has remained handicapped by a number of important constraints.

The first and most obvious constraint is the fact that the workhorses of the NDA are almost entirely without funds for travel, research, secretarial support or telecommunication. The major party leaders appear to have no shortage of cash, but the NDA secretariats (Peace, Legal, Humanitarian and Security) have no resources at all and rely essentially on the voluntary work of certain individuals, and voluntary donations in cash and kind. The result is a two-speed NDA.

In addition, the relations between the SPLA and the NDA northern parties appear to have significantly soured in the last two months. The NDA Chairman and Peace Secretariat are reportedly unhappy with the positions tabled by the SPLM at the previous IGAD meeting, on the grounds that they were contrary to the Asmara Declaration and had not been agreed with the NDA beforehand. In addition, the dual role of Nhial Deng Nhial as both NDA Coordinator and SPLM Foreign Minister has meant that he is not always available for NDA business when requested at short notice.

As a consequence, the SPLM played virtually no role in the NDA discussions on peace during June. This has strengthened the hand of those in the opposition (notably the Umma Party leaders) who argue that a settlement should be negotiated with the Government irrespective of the SPLM position.

Relations were patched up to a degree during early July. However, the NDA Chairman's decision to proceed with the Egyptian proposal, despite the fact that the SPLA is virtually certain to oppose this, indicates the growing SPLA-Northern parties divide in the Alliance.

In July the SAF representative on the Peace Secretariat, Abdel Aziz Dafallah, was replaced by Taisier Ali. SAF's internal divisions were also highlighted by the suspension of senior figures in the humanitarian organisation, Amal Trust.

The NDA has set another date for its Congress: 26 August in Asmara.

In passing, the absence of any preparatory work by the NDA Security Committee, or by its Sudan Government counterpart, could prove to be the most important weakness in the ongoing peace processes. The most likely stumbling block to a workable agreement with the armed opposition is insufficient security guarantees. The most likely reason for a peace agreement to be derailed is a failure in the disengagement of forces, encampment, disarmament and demobilisation, integration of forces into a new national army, or security provisions for the returning leadership. The 1995 Asmara Declaration required the NDA

Security Committee to begin work on this subject: nothing happened. The 1997 Khartoum Agreement required the parties to work on security protocols as an appendix: this never occurred. The NDA Peace Secretariat and Security Committee have not yet begun to analyse the issues.

The Ethiopian Dimension

The Ethiopian position has the potential for operating as a swing factor that could be crucial for the success of either the LEI or IGAD. However it is unclear whether Ethiopia is sufficiently focussed on Sudan to be able to play the active, sensitive and rapid role required.

It is clear that there is an understanding between the Ethiopian and Sudanese governments on a number of issues. Khartoum delivered an important diplomatic service to Addis Ababa by playing a lead role in ensuring the neutrality of the Arab world. Addis Ababa has formally requested the UN Security Council to reconsider sanctions against Sudan. And on 20 June, Ethiopia demanded all Sudanese opposition forces to leave the country without delay. The following day, President Bashir offered an unconditional amnesty to all who had taken up arms against the regime. One day later, 216 Umma party members, many of them fighters in the Umma Liberation Army, prepared for their return to Sudan. They were received in Gedaref and Khartoum with celebrations. Subsequently, 49 DUP fighters also returned. This decision leaves the SPLA officials in Ethiopia in a difficult position, and is extremely difficult for the SAF forces in Menza (north of the Blue Nile) and adjoining areas of Ethiopia. Unlike the SPLA forces in Southern Blue Nile, which have air access from Kenya and South Sudan, the SAF forces are wholly reliant on their supply lines through Ethiopia. SAF's position is further complicated because several leading SAF members based in Asmara made pro-Eritrean statements during the Ethio-Eritrean fighting of May-June.

Ethiopia's hasty moves against the opposition forces based on its territory have created some difficulties in the way of Ethiopia playing an active mediating role for the time being. For Ethiopia, the containment of Eritrea remains the primary aim of its foreign policy. Until the peace settlement with Eritrea is fully implemented, it is improbable that Ethiopia's policy towards its immediate neighbours will move beyond calculations of national security and realpolitik relations with Eritrea. Hence, while it is possible that it will consider strategic initiatives to open up to the Arab world, using Sudan as an intermediary, it is unlikely that these initiatives will gain momentum quickly.

The Military Situation

The SPLA capture of Gogrial on 24 June represents its first major military gain for more than three years. The SPLA accuses the government of having provoked the attack. This is a credible claim, as the ceasefire is routinely violated at a local level by government forces, both regular and militia. However the large scale of the SPLA response indicates that the SPLA command intended more than a local retaliation: the attack was clearly intended to send a political signal, that the SPLA's military capacity must be taken seriously. While this success is a welcome morale boost for the SPLA forces, more widely the capture of Gogrial has been greeted with a marked lack of enthusiasm among Southerners. It is unclear whether the SPLA intends to build on this success by a further assault, for example on Wau, Aweil or Abyei. The Government will probably need to respond with an offensive, in addition to the ongoing aerial bombardment across various parts of the South.

Apart from the capture of Gogrial, most fighting has been in Upper Nile, especially in areas close to the oil fields. The principal belligerent forces have been the Sudan Government versus Nuer forces led by Riek Machar and Peter Gadet. The level of human rights abuses in and around the oil fields is extremely high and there is evidently a government policy of depopulating the area, using militias and aerial bombardment.

The eastern front close to the Eritrean borderlands remains active. The capacity for NDA military activity has been curtailed by the Ethio-Eritrean war and the Ethiopian occupation of Tesseney (twice) along with Eritrean border areas to the south of Tesseney. But NDA forces in eastern Sudan (principally SPLA) repulsed a government attack on Hamush Koreb in mid June. Although this was a 'victory' for the SPLA/NDA, the casualties were high. In the longer term the viability of the NDA forces in this area is subject to serious doubt. It is possible that the precariousness of the SPLA/NDA military position in the east was a motive for the SPLA attack on Gogrial.

The SAF-controlled areas adjacent to the Ethiopian border in Menza and South Gedaref now look extremely vulnerable.

The SPLA forces in Southern Blue Nile were able to withstand strong Government offensives in the latter part of the dry season. In early July a combined force from the SPLA and the SPDF of Riek Machar (the precise composition is disputed) captured the garrison of Maban on the Blue Nile/Upper Nile border. Control of Maban threatens the oilfields at Adar. The SPLA has captured Maban several times in the last three years and subsequently lost it. This time, the support of Riek's forces mean that it is a greater danger to the Government, which will be required to respond.

The Nuba Mountains front has been active throughout the dry season. Government forces have made significant gains, capturing a number of villages from the SPLA, and further restricting the airstrips used by the SPLA and relief organisations. Government successes seem related to the defection of a number of Nuba officers in the SPLA, and the lack of military preparedness and lack of arms and ammunition on the SPLA side, which have contributed to low morale.

An Elite Deal, a 'Dayton' or a National Conference?

The different cultures and approaches to peacemaking in Sudan, outlined in the introductory paragraphs, also lead to different approaches to the kind of peace conference required. The most probable outcome of the LEI, if current processes continue, is an elite settlement mediated by Egypt that brings together President Bashir, Mulana Mohamed Osman, and Sadiq el Mahdi. If John Garang joins, the mediators will be happy; if he does not they will still proceed. Can prospects for comprehensive peace and democracy be salvaged from such a scenario? This is a question that needs to be urgently studied over the coming months. Should it fail, then the 'Sudanese-Sudanese Initiative' of Bashir is the most likely candidate to move ahead—an even more elitist option.

The best option within the general framework of the Libyan-Egyptian initiative is more in the way of an inclusive national conference. The national conference approach brings in a much broader representation—including many members from each party, plus independent figures and civil society groups—for a wide-ranging discussion. The advantage of this approach is that, for several of the major parties, it is the membership that is determined to move ahead, while the leadership is reluctant. The experience of the NDA (which is in many respects the most representative Sudanese political forum that exists—simultaneously a weakness and a strength) is that the wider the participation, the greater the pressure towards compromise on a common position. A wider representation in a conference

therefore opens up the possibility of achieving an agreement that might not be achieved under a smaller, ‘Dayton-style’ conference. However it also has the drawback that some groups—specifically the SPLA—are uncomfortable with this kind of politicking.

One idea that has been aired frequently in the last year is a ‘Dayton-style’ peace conference, in continuous session, in which the principal leaders meet together and thrash out the main issues to a point of agreement on all key points. This is considered as an attractive fall-back option by the European and American IGAD partners, should IGAD fail. It is a variant on the technical approach. It assumes that the principals to the conflict are sufficiently sure of their constituencies, sufficiently pragmatic and sufficiently amenable to the mediators’ pressure to come to a deal.

Could there be a combination of the above, in line with the NDA agreement? This might take the form of a national conference, preceded by a smaller meeting in which the basic agenda of the conference was set, with key issues ruled off-limits in order to guarantee the acceptance and participation of the SPLA and marginalised? Rapid work is now needed by IGAD and its partners if any option other than an elite settlement sponsored by Egypt is to go ahead. In the meantime, several key issues concerning the preparatory meeting for the LEI need to be resolved. Among them are:

1. The declaration of principles of the LEI. In some form, a commitment to self-determination for Southern Sudan must be included in the principles.
2. Participants at the proposed national conference. Among participants, it would be crucial that all political forces are represented, including those outside the NDA (e.g. Umma Party, Haq) and Southern forces not aligned with the SPLA (e.g. SPDF, SSLM).
3. Procedures at the national conference.
4. National and international observers at the conference. Status and ratification of the conference. Here, there would be three main options:
 - (i) Ratification by referendum (perhaps the preference of the Government);
 - (ii) Ratification by a subsequent national constitutional conference (the NDA’s Asmara Agreement asks for this);
 - (iii) Ratification by the conference itself—i.e. immediate implementation of the resolutions in the constitution and interim arrangements. (This would bypass the problems of (i) and (ii), which might lead to deadlock if the conference outcomes were not ratified.)

Other stakeholders in the peace process such as the IGAD partners should consider how to ensure that such a process, if it goes ahead, reaches a successful conclusion.